



PATENT

ATTORNEY DOCKET NO. 47234-5003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Kenzo TAKAHASHI et al. )

Application No.: 10/560,936 )

Filed: December 15, 2005 )

For: ULTRAFINE GROUND TEA DISPERSION )  
AND FOOD OR BEVERAGE )  
CONTAINING THE SAME )

Confirmation No.: 4204

Group Art Unit: 1761

Examiner: Unassigned

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Window Mail Stop: ☒ Amendment ☐ AF ☐ Issue Fee

Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT (IDS)**

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(i)**: Pursuant to 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(d). Applicant requests that the IDS be placed in the file.

☒ An Examiner's Report from related application 2004800170045/(053038) dated May 25, 2007 and having documents cited thereon are attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

☒ Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

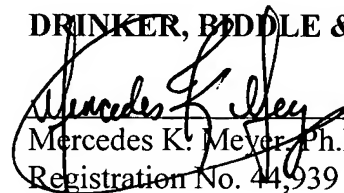
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

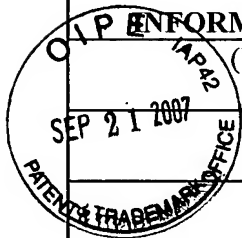
Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

Dated: September 21, 2007

  
Mercedes K. Meyer, Ph.D., Esq.  
Registration No. 44,939

**CUSTOMER NO. 055694**  
**DRINKER, BIDDLE & REATH LLP**  
1500 K Street, N.W., Suite 1100  
Washington, D.C. 20005-1209  
Tel: 202.842.8800; Fax: 202.842.8465



|   |  |                                      |                           |
|---|--|--------------------------------------|---------------------------|
| <b>INFORMATION DISCLOSURE CITATION</b><br>(Use several sheets if necessary) |  | Attorney Docket No.:<br>47234-5003   | Serial No.:<br>10/560,936 |
| PTO Form 1449   |  | Applicants<br>Kenzo TAKAHASHI et al. | Page 1 of 1               |
|   |  | Filing Date:<br>May 16, 20065        | Group Art Unit:<br>1761   |

**U.S. PATENT DOCUMENTS**

| *Examiner<br>Initial | Document<br>Number | Date | Name | Class | Sub<br>Class | Filing Date |
|----------------------|--------------------|------|------|-------|--------------|-------------|
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |
|                      |                    |      |      |       |              |             |

**FOREIGN PATENT DOCUMENTS**

|  | Document<br>Number | Date         | Country | Class | Sub<br>Class | <u>Translation</u> |    |
|--|--------------------|--------------|---------|-------|--------------|--------------------|----|
|  |                    |              |         |       |              | YES                | NO |
|  | 08-116881          | May 14, 1996 | Japan   |       |              | Abstract           |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |
|  |                    |              |         |       |              |                    |    |

**OTHER DOCUMENTS**

(Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

|          |                 |
|----------|-----------------|
| Examiner | Date Considered |
|----------|-----------------|

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.